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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRANCE JOHN COX,
Defendant.

CASE NO. 1:22-CR-00214-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: October 12, 2022
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

This case is set for status conference on October 12, 2022. As set forth below, the parties now move, by stipulation, to continue the status conference to January 11, 2023, and to exclude the time period between October 12, 2022 and January 11, 2023 under the Speedy Trial Act.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 12, 2022.
2. By this stipulation, defendant now moves to continue the status conference until January 11, 2023, and to exclude time between October 12, 2022, and January 11, 2023, under 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv) [Local Codes T2 and T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case is

1 voluminous and includes large amounts of digital forensic evidence, several hundreds of
2 thousands of pages of financial records and reports, evidence obtained by search warrant, and
3 extensive other evidence. All of this discovery has been either produced directly to counsel
4 and/or made available for inspection and copying. Defense has provided a blank hard drive to
5 the government for the receipt of digital evidence, and the government is in the process of
6 copying digital evidence to provide to defense.

7 b) Counsel for defendant desires additional time to consult with his client, to review
8 the current charges, to conduct further investigation and research related to the charges, to
9 receive and review voluminous discovery, to discuss potential resolution with government
10 counsel, and to evaluate potential pretrial motions.

11 c) Counsel for defendant believes that failure to grant the above-requested
12 continuance would deny him the reasonable time necessary for effective preparation, taking into
13 account the exercise of due diligence.

14 d) The government does not object to the continuance.

15 e) Based on the above-stated findings, the ends of justice served by continuing the
16 case as requested outweigh the interest of the public and the defendant in a trial within the
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
19 et seq., within which trial must commence, the time period of October 12, 2022 to January 11,
20 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv)
21 [Local Codes T2 and T4] because it results from a continuance granted by the Court at
22 defendant's request on the basis of the Court's finding that the ends of justice served by taking
23 such action outweigh the best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 4, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: October 4, 2022

/s/ MARK W. COLEMAN
MARK W. COLEMAN
Counsel for Defendant
Terrance John Cox

ORDER

IT IS SO ORDERED that the status conference is continued from October 12, 2022, to **January 11, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv).

IT IS SO ORDERED.

Dated: October 4, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE